

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**NOTICE OF REMOVAL OF A CIVIL ACTION AND  
SUBSTITUTION OF THE UNITED STATES AS DEFENDANT**

To: Dorothy Brown  
Clerk of the Circuit Court  
Richard J. Daley Center, Room 1001  
50 West Washington Street  
Chicago, Illinois 60602

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The United States, by its attorney, John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, submits this notice of removal of the above-captioned civil action from the Circuit Court of Cook County, Illinois, to the United States District Court, Northern District of Illinois, pursuant to 42 U.S.C. § 233, and in support thereof states the following:

1. On April 10, 2018, plaintiff Claudette Thompson commenced the above civil action against Marjorie Michel, M.D., among others, alleging medical malpractice. A copy of the state

court complaint is attached as Exhibit A. For purposes of this lawsuit, Chicago Family Health Center, Inc. is a private entity that receives grant money from the Public Health Service pursuant to 42 U.S.C. § 233. *See Exhibit B.* In addition, Dr. Marjorie Michel was acting within the scope of her employment at Chicago Family Health Center with respect to the incidents referred to in the complaint. *Id.*

2. This notice of removal is filed in accordance with 42 U.S.C. § 233 upon certification by the designee of the Attorney General of the United States that defendant Dr. Marjorie Michel was acting within the scope of her employment at Chicago Family Health Center with respect to the incidents referred to in the complaint. Exhibit B.

3. This notice of removal may be filed without bond at any time before trial. 42 U.S.C. § 233(c). Trial has not yet been had in this action.

4. Pursuant to the certification by the Attorney General's designee and the filing of this notice of removal, under 28 U.S.C. § 233(c), this civil action is deemed an action against the United States, and the United States is substituted as the sole federal party defendant in place of defendant Dr. Marjorie Michel.

WHEREFORE, this action now pending in the Circuit Court of Cook County, Illinois, is properly removed to this court pursuant to 42 U.S.C. § 233, and the United States is substituted as the defendant in lieu of Marjorie Michel, M.D.

Respectfully submitted,

JOHN R. LAUSCH, Jr.  
United States Attorney

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**Certificate of Service**

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF), the following document:

**NOTICE OF REMOVAL AND SUBSTITUTION**

was served pursuant to the district court's ECF system as to ECF filers, if any, and were sent by first-class mail on October 17, 2018, to the following non-ECF filers:

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